



November 6, 2017

*Via Electronic Filing*

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: *Starry, Inc. Notice of Ex-Parte Communication; Use of Spectrum Bands Above 24 GHz For Mobile Radio Services, et al., GN Docket No. 14-177, IB Docket Nos. 15-256 and 97-95; RM-11664; and WT Docket No. 10-112***

Dear Ms. Dortch:

On November 2, 2017, Starry, Inc., represented by Chet Kanojia, Chief Executive Officer and Virginia Lam Abrams, Senior Vice President of Communications & Government Relations, participated in a meeting at the Federal Communications Commission ("FCC" or "Commission") with Rachael Bender, Wireless and International Advisor to FCC Chairman Ajit Pai.

During the meeting, Starry shared with Ms. Bender its perspectives on the recent Spectrum Frontiers circulation draft released on October 26, 2017. Specifically, while Starry is gratified that the Commission is moving expeditiously on the proceeding, we respectfully urge the Commission to deny the Petitions for Reconsideration filed by certain parties calling for the Commission to reject commercial-to-commercial sharing in the lower 37 GHz band (37-37.6 GHz) in this forthcoming Report and Order and not at a later date. The lower 37 GHz band is a small portion of spectrum that represents only 4% of the aggregate amount of spectrum made available through the First Spectrum Frontiers R&O and the draft circulation order. This de minimis amount of spectrum does not significantly alter any company's decision in their investment in millimeter wave bands or significantly impact any auction outcome. For example, at least one possible participant has already indicated it is comfortable with its current spectrum positions and does not plan to participate in the next auction.<sup>1</sup>

Acting now to reject the Petitions for Reconsideration would cement opportunities for new entrants to develop innovative technologies in these bands and would unleash immediate capital

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<sup>1</sup> Goldman Sachs 26th Annual Communacopia Conference, September 14, 2017; Comments of Verizon CEO Lowell McAdam; Transcript: <http://www.verizon.com/about/investors/goldman-sachs-26th-annual-communacopia-conference>, page 7.

investment in this sector. Today, “pre-standard” 5G technologies are already in development, and providers and vendors are making investments to develop a robust ecosystem of technologies to serve this first generation of 5G access technologies.

Importantly, rejecting the Petitions for Reconsideration would not impact or limit the Commission’s future ability to craft the rules and mechanisms to enable sharing in the lower portion of the 37 GHz band. What it will do is maximize the certainty in the near term for a wide range of companies, including Starry, that have already begun to manufacture and test technology for use in this band, and allow more investments to be made in expanding the availability of this technology more widely. This will also encourage new entrants in future spectrum auctions and increase robustness of any future auction, which can help provide much needed competition for fixed broadband services.

Additionally, Starry stressed the importance of federal sharing in the 37 GHz band. The First Spectrum Frontiers R&O recognized the substantial benefits to creating a space for commercial and federal users to share robustly in the benefits of 5G technologies. Access to a coordinated shared portion of the 37 GHz band is a significant opportunity to develop sharing mechanisms for this band, which can then help enhance spectrum access and minimize lengthy and costly relocations in other bands. By reasserting now that the 37 GHz band will have shared licensed access between all users in the lower 600 megahertz (in addition to the exclusively-licensed access in the upper portion), the Commission can stimulate productive conversations regarding sharing mechanisms and ensure that federal users can share in the advanced technologies developed for the band. Rejecting the Petitions for Reconsideration enables that process of collaboration to begin immediately.

Starry concluded the meeting by asking that the Commission set a timeline for a Further Notice of Proposed Rulemaking to finalize the rules for the 37-37.6 GHz band. The attached presentation was also shared at the meeting.

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, an electronic copy of this letter is being filed for inclusion in the above-referenced docket. We have also provided a copy of this letter electronically to all Commission personnel who were in attendance. Please contact the undersigned with any questions.

Respectfully submitted,  
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cc: Rachael Bender